



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Myers Bigel Sibley & Sajovec
PO Box 37428
Raleigh, NC 27627

COPY MAILED

DEC 09 2003

OFFICE OF PETITIONS

In re Application of
Proebsting, et al.
Application No. 10/643,208
Filed: August 18, 2003
Attorney Docket No. 5646-81

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.10, filed November 24, 2003, requesting that the above-identified application be accorded a filing date of August 18, 2003, rather than the presently accorded filing date of August 19, 2003.

Petitioner alleges that the application was deposited in Express Mail service on August 18, 2003. In support of the allegation, the petition is accompanied by a copy of Express Mail label No. EV318419992US. Although the date-in is blank, the Express Mail label contains a United States Postal Service (USPS) stamp of August 18, 2003. The same Express Mail label number was placed on the original application papers located in the official file.

In view of the above, the petition is granted. No petition fee is necessary.

The Office of Initial Patent Examination is directed to correct the filing date to August 18, 2003, to mail a corrected filing receipt.

Telephone inquiries should be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions